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the possession and transportation of beverage liquors on board foreign vessels while in our territorial waters, whether such liquors are sealed or open.

By way of summary, therefore, I am of the opinion that, under the rules of fair intentment, American ships, wherever they may be, are included in the terms of the Eighteenth Amendment, "territory subject to the jurisdiction" of the United States, so that manufacture, transportation, or sale of intoxicating liquors for beverage purposes is prohibited thereon. To construe otherwise would, in my opinion, violate the unmistakable intent in the adoption, such intent clearly adduced from the study of the circumstances out of which it grew, and voiced by the Supreme Court in the Walker and Anchor Line cases.

This interpretation is further supported by the many authorities that have held ships to be "constructive territory" of the country whose flag they fly. Such decisions undoubtedly extend the protection as well as the inhibitions of the country's laws.

The National Prohibition Act is an act of general jurisdiction, in force wherever the Eighteenth Amendment applies, and the courts of the United States have jurisdiction to punish its violations on the high seas.

I am forced to the opinion, under the ruling of the Walker and Anchor Line decisions (*supra*), that foreign ships carrying intoxicating beverage liquors, as ship stores or otherwise, within the three-mile limit of our shores, are violating the provisions of the National Prohibition Act, prohibiting possession or transportation of intoxicating liquors for beverage purposes. The Supreme Court therein has held that it is not material that the liquors may not be intended for beverage uses within the United States, because the court emphasized that the Eighteenth Amendment marks a revolution in our former national policy toward intoxicating liquor, and does not confine its prohibition in any meticulous way within the United States, but, on the contrary, its intent was as far as possible to "stop the whole business."

Respectfully,

HARRY M. DAUGHEERTY,
Attorney-General.

Honorable Andrew W. Mellon, Secretary of the Treasury.

M. P. M. MATTHEEF AND MR. GORDON GORDON-SMITH CLASH

In the April issue of the *ADVOCATE OF PEACE* Mr. Gordon Gordon-Smith contributed an article on "Balkan Problems and Their Solution." To that article serious exception was taken on behalf of Bulgaria by M. P. M. Mattheef. The Editor of the *ADVOCATE* submitted M. Mattheef's criticism to Mr. Gordon-Smith, and now prints both M. Mattheef's criticism and Mr. Gordon-Smith's reply.

Below is M. Mattheef's criticism:

TO THE EDITOR OF THE *ADVOCATE OF PEACE*.

SIR: A good cause has no need of violence to defend it; a strong man or a man raised to strength loses by kicking his adversary on the ground. Such action proves his weakness; it prejudices his claim for justice.

Mr. Gordon Gordon-Smith, in his article published in your number for April last, plays the part of spokesman for Serbia against Bulgaria. Bulgaria is a country humiliated, torn to pieces, disarmed, weighted with financial burdens, scarcely independent, as no other country of the lately engaged in war. Serbia, on the other hand, has suddenly acquired power and extent, three times and more than she had dreamed of before the war. Bulgaria is on the ground. Serbia on the apex of her success. Whence, then, and how are to be explained the violent attack upon Bulgaria; whence the unmeasured, unscrupulous statements of Mr. Gordon Gordon-Smith in the above-mentioned article on the relations between Bulgaria and Serbia? Mr. Gordon Gordon-Smith claims everything good for Serbia and charges Bulgaria with every evil. He cannot, however, deny that the Bulgarian State is older than the Serbian; that it was

from Bulgaria that the Serbians received their writing, their literature; that quite recently it was the crushing defeats the Bulgarians inflicted upon the common enemy, the Turks, that gave the Serbians the possibility of extracting themselves from the slough of despond into which they had hopelessly fallen.

Is there not something wrong with Serbia to require such an unseemly virulent defense? Such a violent, flagrantly prejudiced attack upon one nation in defense of another cannot contribute to an understanding and peace, and I am somewhat surprised that it should have found space in the *ADVOCATE OF PEACE*.

Mr. Gordon Gordon-Smith is an old hand at this game; he has specialized at it; I have met him before in the press; but he takes no account of corrections, and, unable to refute facts and history, repeats himself from time to time, callous of what the few well-informed on the subject have to say. A blindly prejudiced and the most chauvinistic Serbian could not beat him at this his special work.

But to the subject. Every one of the statements, assertions, and insinuations of Mr. Gordon Gordon-Smith are unfounded. I do not exaggerate. History and facts are common to all who desire knowledge; these are against Mr. Gordon Gordon-Smith.

I will take up the most flagrant statement of Mr. Gordon Gordon-Smith and will say what I have to say in a more or less negative form. Bulgaria was never under the protection of the Central Powers. Russian influence, naturally, was always predominant up to the time when Bulgaria joined in the last war. This influence was at times desired, at times imposed; but it was there.

The people of Macedonia, whom he calls Slavs, have for over a thousand years been Bulgarians and are openly such today. He admits that the Serbian schoolmaster is to convert them into Serbians.

Bulgaria is open to a plebiscite; not so is Serbia. The great Byzantine Emperor, Basil II, in 1014, defeated the Bulgarian King Samuel, who had his capital in Ochrid, the most western town in Macedonia; took some 15,000 prisoners of war and had their eyes gouged out, leaving one eye to every hundred, and sent them back to their great and brave king. This broke the heart of King Samuel and he died two days after from grief. History has rewarded the prowess of Basil II by according to him the distinguished name of "The Bulgarian killer" (Bulgarochton).

On the coalition of Bulgaria's allies defeating Bulgaria, in the Second Balkan War, in 1913, followed by wholesale murder and atrocities committed in Macedonia by the Greek army (see report of "*International Commission to Enquire into the Causes and Conduct of the Balkan Wars*," instituted by the Carnegie Endowment for International Peace Fund), King Constantine, to emulate Basil II, had a medal struck in commemoration of his prowess, with the portrait of Basil II on one side and his own on the other, with the inscription of "Bulgarochton" added to his name. As the Macedonians were Bulgarians in 1014, such they were in 1913; such they are today.

Mr. Gordon Gordon-Smith wishes to hammer treachery into the Bulgarians because of the incident on the 29th of June, 1913, when Bulgaria, without notice, delivered a partial attack upon the Serbians.

A treaty had been signed on the 29th of February, 1912, between Bulgaria, Serbia, Greece, and Montenegro. On the strength of this treaty the allies went into the war against the common enemy, Turkey. It is common knowledge that the Bulgarian army bore the brunt of this war and obliged the enemy to sue for peace. Serbia had failed to execute the clauses of the treaty as regards the partition of conquered territory, and while the whole of the Bulgarian forces were exhausting themselves on the Tchataldja and Boulair lines against the common enemy, those of the Serbians were reposing in camps and towns or raising fortifications against Bulgaria and in territory which, according to the treaty, was Bulgarian, and the Serbian Government concluded with Greece an offensive and defensive treaty against Bulgaria with the sole object of depriving Bulgaria of the fruits of her splendid victories, recognized to her by the treaty. This treaty between Bulgaria's allies, Serbia and Greece, was concluded on the 5th of May, 1913. Besides, a manifesto had been issued by the King of Serbia,

declaring war upon Bulgaria, when the incident upon which Mr. Gordon Gordon-Smith bases his accusation of treachery against Bulgaria occurred on the 29th of June. Was the first shot fired in Lexington responsible for the war which ensued with the mother country?

The Dobrudja country was never Rumanian. The northern part of this province was arbitrarily imposed upon Rumania in exchange for Rumanian Bessarabia by the Berlin Treaty. Were a plebiscite to be taken today in the Dobrudja, it would give no right of footing to Rumania in that province.

It is barefaced nonsense to try to pass off the Bulgarians as of the Turanian race. They are as good Slav as the Russians. Their name is certainly Turconian, but the Turanian invader south of the Danube in 679 and the organizer of the Slav tribes into a State were early absorbed into the Slav element, in the same manner as were the Scandinavian Verangeans, who invaded what is today Russia and there organized the Slav tribes into a State and gave them their name, "Rooss" (the fair-complexioned). No one in his right mind denies that the Slav language was first written in the Bulgarian language of the time, the beginning of the second half of the seventh century. This same Bulgarian language was adopted in Serbia and Russia and is to the present day the church language of all the orthodox Slavs and is known as the old Bulgarian or Slav. One may as well call the French German, because the Frank invaders were of the German race.

Mr. Gordon Gordon-Smith has yet to learn that the regeneration of the Bulgarian nation was started in Macedonia by Bulgarians of and in Macedonia.

The Bulgarians have never had ambition to dominate over what is not Bulgarian. The Serbians and Greeks have undoubtedly succeeded in obtaining the rule over peoples stranger to themselves, thanks to the fortunes of war and the capricious and selfish policies of some great powers. The ethnical rights of the Bulgarian people were formally recognized in 1870 by the Turkish Government, with the Sultan's firman (decree), instituting the Bulgarian Exarchate Church. These rights included Nish, Uskup, and Ochrida. In 1876 the Constantinople Conference of the Great Powers was called to determine these rights and secure the Bulgarian people against future massacre. The western frontier fixed by the protocols of this conference and the special maps attached to them fully confirm the above western line of the Bulgarian ethnical rights. The San Stefano Treaty in 1876 again recognized these rights, rather extending them. Bulgarians have not sinned in the aspiration or ambition on this point. The sinners, the oppressors, are the Serbians.

The Serbians have closed, in Macedonia, the Bulgarian schools and churches; they have forbidden the Bulgarian language, where possible, in Macedonia; the country is ruled by arbitrary police laws, and the Serbian form of names has been forced upon these unhappy Bulgarians. The Serbian Government has permitted a few Turks of Macedonia to be elected to the Scouptchina (the National Assembly). The vast majority of the population of this province Mr. Gordon Gordon-Smith calls Slavs have been excluded from this fundamental right of a citizen because they are Bulgarians. They have so far refused to apply there the clauses of the recent peace treaties guaranteeing the rights of the minorities. A plebiscite taken would best decide this controversial question, but the Serbians or their spokesmen cannot even think of it.

Gordon Gordon-Smith is beside himself when he qualifies the Bulgarians as *ruthless, treacherous, cruel, and ambitious* to a degree. A writer, an Englishman, unfriendly to Bulgaria, E. Ashmead Bartlett, in his book "With the Turks in Thrace," says (pages 180-181):

"The Bulgarian artillery played a matchless rôle in the action (Loule Bourgas, October 29-30, 1912). It overwhelmed the Turkish defense and crushed every offensive movement by the rapidity and deadly accuracy of its fire. The heroic courage of the Bulgarians excited the admiration of their opponents. A new military power has arisen in eastern Europe which even the great powers will not be able to disregard or coerce."

I have not met with an Englishman or Frenchman who does not speak in high terms of the correctness with which

the Bulgarians conducted themselves in the late war. Mr. Gordon Gordon-Smith is a big exception and will remain such. Mr. Gordon Gordon-Smith has subscribed fully to the saying, "Every stick is good to beat a dog with," but he has to discover that his collection of sticks is rotten and unfit for his purpose.

Regarding the actual relations between Bulgaria and Serbia and those which should be inaugurated, the language of Mr. Gordon Gordon-Smith is simply a page out of the book of the most unreasonable, incorrigible, and most chauvinistic Serbian and in disregard of the Bulgarian side or view. He unblushingly claims the right for Serbia to dictate. Mr. Gordon Gordon-Smith is perfectly well aware of the fact that there was no war between the United States and Bulgaria and not even the breaking off of diplomatic relations. His positive assertion to the contrary has one object—to prejudice his readers against Bulgaria. In fact, every word he has written has that object in view; no business with right or wrong.

He says: "Bulgaria is out of court; she can now claim nothing as a *right*. Such has been the rule ever since Brennus threw his sword into the scale and enunciated the doctrine of *vae victis*."

On the basis of this principle, Bulgaria has failed, so far, to obtain even what the treaties have granted in her favor, and, according to Mr. Gordon Gordon-Smith, is bound to fail and must fail. Such a desire or opinion can be endorsed only by men of the mentality of Mr. Gordon Gordon-Smith; such only can approve the ruthlessness, treachery, cruelty, and ambition with which he treats highly controversial questions between two nations which have fought and bled with the great problems still outstanding—how is peace to be brought about between them.

In America, as generally elsewhere, people are badly informed as to the reasons which drove Bulgaria into the last war on the side of the Central Powers. For this choice of Bulgaria the Bucharest Treaty is wholly responsible. It will be remembered that the coalesced former allies of Bulgaria, by this treaty, frustrated her of the fruits of her great victories, without which the Balkan allies would undoubtedly have failed in the war against Turkey, and aggrandized themselves beyond dreams at Bulgaria's expense. When to this is added the failure of the Entente Powers, in the negotiations with Bulgaria, to secure her national rights, the rights secured to her by the interallied treaty of 1912, it should become plain to all why Bulgaria hesitated and finally decided for the Central Powers. Undoubtedly Bulgaria took this course under the belief that it would be the easiest road to the successful liberation of her nationals, as the Bucharest Treaty so unjustly subjected them to Greeks and Serbians. Bulgaria refused to recognize the amputation performed upon her in Bucharest in 1912 as one she had willingly submitted to.

Incompetency, ignorance, deceit, and flagrant injustice have played their part in bringing about the present unsatisfactory condition of things in the Balkan countries, and Bulgaria is the country which has suffered and is suffering most unjustly. All the clauses of the Treaty of Neuilly against Bulgaria have been severely executed or on the point of execution; those in her favor are in abeyance, because the selfish interests of the countries, Bulgaria's neighbors, so demand it. The conquered have to submit to the clauses of the treaty; not so *the conquerors*. Were a fair trial to be given to Bulgaria, it will be clearly established that she has been more sinned against than she has sinned. Mr. Gordon Gordon-Smith's client has obtained satisfaction beyond dreams. Does not his unnecessary, unprovoked, violent attack upon Bulgaria, attributing to her every possible evil and wrong, give him away in the eyes of all fair minded men?

P. M. MATTHEEF.

The reply from Mr. Gordon-Smith follows:

TO THE EDITOR OF THE ADVOCATE OF PEACE.

SIR: I beg to thank you for your courtesy in giving me an opportunity of seeing the response of M. Mattheef to my article, "Balkan Problems and Their Solution," published in the April number of the ADVOCATE OF PEACE.

M. Mattheef is wrong on one point. He evidently im-

agines that I have a rooted prejudice and dislike to Bulgaria and everything Bulgarian. Nothing could be further from the truth. I would be the first to admit the many virtues and admirable qualities of the Bulgarian nation, if it frankly and honestly confessed its sins against liberty and civilization in 1913 and 1915, committed by its government in its name. These were its treachery against its Balkan allies in 1913 and its betrayal of the Entente in 1915, two acts of treachery which, I maintain, have been proved up to the hilt and regarding which I propose to submit to you, at an early date, documentary evidence, which I think even the Bulgarians themselves will hardly be able to deny.

What I reproach the Bulgarians for is that, instead of frankly admitting the wrongs they did on these occasions, they content themselves with a mere "blanket denial" of any guilt and refuse to admit that they have by their conduct incurred the censure of all honest men. Instead of making this admission, they adopt an attitude of injured innocence and pass over their crimes against right and justice as negligible matters.

Thus, in his letter, M. Mattheef refers to their act of treason in 1915 as an "incident" and speaks of a "partial attack" on Bulgaria's allies. M. Mattheef in his reply assumes, more or less, an attitude of personal hostility. I shall not follow him in this direction. There is an old adage, well known to lawyers, "When you have a bad case, abuse the opposite attorney." But, as I consider the case of Serbia is absolutely a good one, I intend to remain courteous throughout.

That I have no rooted hatred of or prejudice against Bulgaria is, I think, proved by the fact that in the article to which M. Mattheef has taken exception I state that my conviction is that the ultimate solution of the Balkan problem is the union, in a single State, of Bulgaria and Yugoslavia. This does not mean, however, that this union will be automatic. Bulgaria must first show sincere regret for her past faults and must first cease to claim arrogantly, as a *right*, a treatment to which she forfeited all claim the day she betrayed, in 1915, the cause of right and justice.

GORDON GORDON-SMITH.

INTERNATIONAL NOTES

"NATIONAL AND INTERNATIONAL." These are the words at the head of the program of the eleventh Peace Congress, which took place from October 2 to 4, in the Auguste-Schmidt-Haus at Leipzig, Germany. The Congress occupied itself in its political part with the limitation of state sovereignty as well as with the refusal of military service and the general strike as a means of war prevention. In its economic part, the discussion related to financial questions and questions of production. The cultural section dealt with questions of education as well as with problems of religion and general ethics. Men like Prof. Mendelssohn-Bartholdy, Dr. Hilferding, René Schickele, and various foreign pacifists delivered papers. In connection with the Congress the meeting of the German Peace Society was held. All meetings were public.

REPORTS FROM MEXICO CITY early in October told of much attention being paid by the Mexican press to activities and rumored activities of rebels against the Obregon Government. Apparently, the military forces of President Obregon are moving vigorously to suppress all outbreaks. The rebel General Francisco Murguía's forces were said to have been scattered, in fighting which is said to have cost the lives of some of his lieutenants and the capture and prospective death by court-martial of others. Despite these and numerous preceding reports of uprisings and imminent insurrections of large scale, President Obregon seems to maintain his power,

and intimations are given in Washington from time to time that before long the differences between his government and the Harding Administration will be adjusted and recognition will be granted him.

PRESIDENT HARDING APPOINTED, in September, Edwin B. Parker, of Texas and New York, to be the American member of the American-German Mixed Claims Commission. Previously, the President had named Associate Justice William R. Day, of the United States Supreme Court, as the umpire, in accordance with an agreement with Germany that the umpire should be an American. Justice Day's resignation from the Supreme Court is generally expected, but has not been tendered. Mr. Parker, a noted lawyer in Texas for many years, was one of the "dollar a year" men in Washington during the war. He helped organize and became a member of the War Industries Board, having charge of priorities. After the armistice he was a member of the United States Liquidation Board. He is now practicing law in New York. It is estimated that the Mixed Claims Commission will pass on claims approximating a billion dollars.

EDWIN L. JAMES, in September, cabled the *New York Times* from Geneva that England and France had accepted Lord Robert Cecil's plan for what is called "international company assurance against war." It is a plan for continental peace pacts. Theoretically, the plan would provide an European pact, a South African peace pact, and an Asiatic peace pact, but, of course, the real interest in the plan revolves around the suggestion of an European pact. Mr. James briefly explained the underlying ideas of the European scheme as follows:

The system on its face is a modification of Article X of the League Covenant, but in reality it would mean giving specific guarantees instead of the generalities of Article X. The nations would pledge themselves definitely to take action against any aggressor and make it impossible for him to obtain a victory. In the Disarmament Committee today it was made plain that the plan is to invite Germany and Russia to become parties to the agreement.

Up to today the Scandinavian countries, generally the leaders in disarmament moves, had opposed the Cecil plan on the ground that it might force them to increase their military strength. To meet that, it was announced today that the peace compact would be open to every one, but only those who wished need join it.

As it now shapes up, it is planned that England, France, and Italy shall enter into a mutual protective agreement which shall be forthwith joined by Spain. Germany will then be asked to subscribe to the non-aggressive guarantee arrangement, after which other European nations, especially those of Central Europe, will be brought in. Then the Moscow Government will be given an opportunity to join. It was no surprise that the English favored such a plan, but French adherence today caused great satisfaction.

THE MOST INTENSE POLITICS in the world at this time is in Great Britain. The Near East upheaval has created another situation in which Mr. Lloyd-George must fight for his life. He is beset on the one hand by the aggressive Labor Party, which apparently is spoiling for a pitched battle and doubtless has the sympathy of